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Attorneys for Involuntary Plaintiff Thales Visionix, Inc.

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA**

GENTEX CORPORATION and INDIGO
TECHNOLOGIES, LLC,

Plaintiffs,

THALES VISIONIX, INC.,

Involuntary Plaintiff,

v.

META PLATFORMS, INC. and META
PLATFORMS TECHNOLOGIES, LLC,

Defendants.

Case No. 4:22-cv-03892-YGR

**INVOLUNTARY PLAINTIFF
THALES VISIONIX, INC.'S OPPOSED
MOTION FOR LEAVE TO FILE SUR-
REPLY IN OPPOSITION TO JOINT
MOTION TO DISMISS**

Date: February 27, 2024

Time: 2:00 p.m.

Location: Courtroom 1, 4th Floor

Judge: Hon. Yvonne Gonzalez Rogers

TO THE COURT AND ALL PARTIES AND THEIR ATTORNEYS OF RECORD:

1 Involuntary Plaintiff Thales-Visionix, Inc. (“**Thales**”) respectfully moves the Court for leave
 2 to file a Sur-Reply not to exceed five (5) pages in connection with the Reply filed by voluntary
 3 plaintiffs Gentex Corporation and Indigo Technologies, LLC (collectively, “**Gentex**”) and by
 4 defendants Meta Platforms, Inc. and Meta Platforms Technologies, LLC (collectively, “**Meta**”) in
 5 support of their Joint Motion to Dismiss. *See* Dkt. No. 154. Counsel for the parties have met and
 6 conferred on this matter, and Gentex and Meta have indicated that they oppose this motion.

7 The original Joint Motion to Dismiss filed by Gentex and Meta contained little to no arguments
 8 or authority. It was only after Thales filed a response that Gentex and Meta made substantive
 9 arguments in support of their Joint Motion. As a result, while Gentex and Meta have had an
 10 opportunity to respond to Thales’s arguments, Thales has not been provided the same opportunity to
 11 address their arguments. Thus, Thales proposes to submit a short Sur-reply, not to exceed five pages,
 12 to respond to certain arguments raised by Gentex and Meta in their Reply.

13 A short Sur-Reply should not affect any scheduling in this case, as the hearing on the Joint
 14 Motion is scheduled for February 27, 2024, which is thirteen days after the filing of this motion. A
 15 copy of the proposed Sur-Reply, filed under seal, is attached to this motion as Exhibit A. For these
 16 reasons, counsel for Thales respectfully requests leave to file a Sur-reply not to exceed five (5) pages.

17 Dated: February 14, 2024

18 Respectfully submitted,

19 /s/ *Paul Tauger*

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*Counsel for Involuntary Plaintiff
Thales Visionix, Inc.*

SIGNATURE ATTESTATION

Pursuant to Local Rule 5-1(i)(3), I hereby attest that concurrence in the filing of this document has been obtained from the other signatories.

Dated: February 14, 2024

/s/ *Paul Tauger*

Paul Tauger